

REMARKS

The continued rejection of Claim 4 under section 112 is not understood as the question now posed by the Examiner has already been addressed in the Amendment filed January 8, 2004. To repeat, the claim recites "B" a copolymer of B.1 and B.2. This means that for a copolymer to fall within the scope of protection it needs to include units derived from each of B1 and B.2.

B.1 is defined as 50 to 99 pbw of any of vinyl aromatics, methacrylic acid (C₁-₈) -alkyl ester.

B.2 is defined as 1 to 50 pbw of any of vinyl cyanides, methacrylic acid -(C₁-₈)-alkyl esters, unsaturated carboxylic acids and derivatives of unsaturated carboxylic acids.

The Examiner sees an inconsistency in that methacrylic acid esters are listed under B.1 and under B.2.

To clarify, a copolymer of 50 pbw of methacrylic acid (C₁) -alkyl ester and 50 pbw of methacrylic acid (C₂) -alkyl ester is within the scope of the claim. Also within the scope of the protection is a copolymer of 1 pbw of methacrylic acid (C₈) -alkyl ester and 99 pbw of methacrylic acid (C₃) -alkyl ester.

A member of B.1 (for instance methacrylic acid (C₁) -alkyl ester) contained in the molecular structure of the copolymer as a major component cannot also be included in the structure as a minor, B.2 component as the result would not be a copolymer.

Applicants respectfully assert that the continued rejection of the claim on this ground is completely untenable and respectfully urge its retraction.

Claims 1-10 stand rejected under 35 U.S.C. 102(e) as anticipated by or in the alternative under 35 U.S.C. 103(a) as obvious over Nodera '443 (U.S. Patent 6,150,443).

Nodera disclosed polycarbonate compositions that contain an optional styrenic resin, a flame retardant an anionic antistatic agent having a specified content of sodium sulfate. As presently amended the claimed composition is restricted in terms of its makeup and contains only the named components. The Nodera document is believed avoided and the rejection based thereon overcome.

Claims 1-9 stand rejected under 35 U.S.C. 102(b) as anticipated by or in the alternative under 35 U.S.C. 103(a) as obvious over WO 00/12629 (the '629 document).

The referenced composition requires the presence of a phosphate-based flame retardant and a silicate filler, both of which are effectively excluded from the inventive composition as presently claimed.

The rejections over the '629 document are believed addressed and overcome by the present amendment.

Claims 1-5 and 7-9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over J11349796.

The Examiner points to that the referenced composition contains an inorganic filler (termed according to the Examiner as 'bulking agent'). There is nothing in the document relative to the presently required glass fibers. The present amendment that restricts the scope of the protection is believed to avoid this reference. Reconsideration of the patentability of these claims in view of the amendment is requested.

Claims 1-9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over J08269314.

The referenced composition is considered to contain 1-99 pbw of polycarbonate, 99-1 pbw of a (meth) acrylic resin, and a composite rubber graft copolymer obtained by grafting 30-95wt.% of a composite rubber containing a polyorganosiloxane and a polyalkyl (meth) acrylate with 5-70wt.% of a vinyl monomer.

The reference discloses nothing relative to the presently required glass fibers and thus fails to describe the inventive composition as presently claimed. Reconsideration of the patentability of these claims in view of the amendment is requested.

Claims 1-10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over J11349796 or J08269314 in view of Nodera '443 or Obayashi '914.


The primary references were discussed above and their shortcomings in the present context were noted. Nodera was discussed above. Obayashi '914 requires the inclusion of a polycarbonate oligomer. It is not seen how or why any of the

secondary references would in any way augment the primaries in a manner sufficient to deny patentability to the presently claimed composition.

Reconsideration in view of the above and withdrawal of the rejection are requested.

Believing the above represent a complete response to the Office Action and that the application is in condition for allowance, Applicants request the earliest issuance of an indication to this effect.

Respectfully submitted,

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